

**04-368 ARTHUR ANDERSEN LLP V. UNITED STATES**

**DECISION BELOW: 374 F.3d 281 (5<sup>TH</sup> Cir. 2004)**

**QUESTION PRESENTED**

Whether Arthur Andersen LLP's conviction for witness tampering under 18 U.S.C. § 1512(b) must be reversed because the jury instructions upheld by the Fifth Circuit misinterpreted the elements of the offense, in conflict with decisions of this Court and the Courts of Appeals for the First, Third, and D.C. Circuits.

Cert. Granted 1/7/05